

**HOFLAND & TOMSHECK**

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*Attorney for Defendant*

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Plaintiff,

vs.

OFIR FRIEDEN,

Defendant.

Case No.: 2:21-cr-00184-JCM-NJK

**STIPULATION AND ORDER TO  
CONTINUE SENTENCING**  
(Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between JASON M. FRIERSON, United States Attorney, and DANIEL SCHIESS, ESQ., Assistant United States Attorney, counsel for the United States of America, and JOSHUA TOMSHECK, ESQ., counsel for Defendant, OFIR FRIEDEN, that the Sentencing and Disposition currently scheduled for August 18, 2023, at 10:00 a.m. be continued to a date convenient for the Court no earlier than forty-days.

This stipulation is entered into for the following reasons:

1. That this is the second sentencing continuance requested;
2. That defense counsel started a double-murder trial in Nevada state court in the case of *State v. Randolph*, case number C250966, on August 7, 2023. This trial is expected to last at least three weeks.

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3. That counsel has consulted with Mr. Frieden about this continuance. Mr. Frieden, who is not in custody at this time, supports this request for more time as he is in the process of saving up for, and scheduling, dental work that would be advantageous for him to complete before serving his federal sentence and facing removal from the country thereafter.
4. That the government has graciously agreed to not oppose this request.
5. That defense counsel will need some time after the completion of the *State v. Randolph* murder case to finish compiling mitigation materials, preparing a sentencing memorandum, and otherwise preparing for sentencing.
6. That, for the aforementioned reasons, denial of this request for continuance could result in a miscarriage of justice.
7. For the above stated reasons, the parties agree that a continuance of the Sentencing and Disposition would best serve the ends of justice in this case. The parties request a continuance of at least forty-days.

Dated: August 14, 2023.

Respectfully submitted,

HOFLAND & TOMSHECK

JASON M. FRIERSON  
 United States Attorney

/s/ Joshua Tomsheck  
 JOSHUA TOMSHECK, ESQ.  
 Counsel for Defendant  
 OFIR FRIEDEN

/s/ Daniel Schiess  
 DANIEL SCHIESS, ESQ.  
 Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA

Case No.: 2:21-cr-00184-JCM-NJK

Plaintiff,

vs.

STIPULATION AND ORDER TO  
CONTINUE  
SENTENCING

OFIR FRIEDEN,

Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. That this is the second sentencing continuance requested;
2. That defense counsel started a double-murder trial in Nevada state court in the case of *State v. Randolph*, case number C250966, on August 7, 2023. This trial is expected to last at least three weeks.
3. That counsel has consulted with Mr. Frieden about this continuance. Mr. Frieden, who is not in custody at this time, supports this request for more time as he is in the process of saving up for, and scheduling, dental work that would be advantageous for him to complete before serving his federal sentence and facing removal from the country thereafter.
4. That the government has graciously agreed to not oppose this request.
5. That defense counsel will need some time after the completion of the *State v. Randolph* murder case to finish compiling mitigation materials, preparing a sentencing memorandum, and otherwise preparing for sentencing.
6. That, for the aforementioned reasons, denial of this request for continuance could result in a miscarriage of justice.


1 7. For the above stated reasons, the parties agree that a continuance of the Sentencing  
2 and Disposition would best serve the ends of justice in this case. The parties request a  
3 continuance of at least forty-days.

4 Dated: August 14, 2023.

5 **ORDER**

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7 IT IS HEREBY ORDERED, that Sentencing and Disposition currently scheduled for  
8 August 18, 2023, at 10:00 a.m. be continued to **September 27, 2023, at 10:00 a.m.**

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11 DATED August 14, 2023.

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14 UNITED STATES DISTRICT JUDGE  
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